

### **REMARKS**

This is in response to the Office Action dated August 3, 2006 in which the Examiner:

1. Objected to Claims 27–46 because of an informality in Claim 27 from which the remaining claims depended;
2. Rejected Claims 27–46 under 35 U.S.C. §112, first paragraph; and
3. Rejected Claims 27–46 under 35 U.S.C. §112, second paragraph.

It is believed that the foregoing amendments attend to all the matters raised by the Examiner in the above objection and rejections of the claims, and therefore favorable reconsideration of the application is respectfully requested in the light of those amendments and the following remarks.

#### **The Objection to Claims 27–46**

The objection to Claims 27–46 was based on the indication by the Examiner that the recitation of “the opposite end of” in Claim 27, line 5, was unclear, presumably because of the lack of a clear antecedent for “the opposite end”. To avoid this possible unclarity, Claim 27 has been amended to change the objected-to passage to read – – within said enclosure, at the end thereof opposite to said closed end, – – . It is believed that this amended passage is sufficiently clear to comply with 35 U.S.C. §112, first paragraph, with respect to Claim 27, as well as its dependent Claims 28–46.

#### **The Rejection under 35 U.S.C. §112 First Paragraph**

This rejection of Claims 27–46 is also believed to have been attended to by the other amendments to Claim 27.

Thus, in connection with this rejection, the Examiner noted:

*“The specification, as originally filed, fails to disclose an acoustical coupling member within the enclosure and positioned between the source and the liquid medium that converts the primary pulses to composite pulses where the composite pulses each include a non-focused portion and a*

*focused portion. It should be noted that claim 27 only appears to read on the embodiment of figure 7 in that only figure 7 shows an acoustical coupling member positioned between the source and the liquid medium. Figure 7 fails to show composite pressure pulses that propagate substantially parallel to the longitudinal axis of the enclosure and which include a non-focused portion and a focused portion."*

Claim 27 was, of course, intended to be generic to all the disclosed embodiments, and applicant appreciates the Examiner's calling attention to the fact that the language therein inadvertently literally restricted it to the embodiment of Fig. 7. It is believed that this has now been corrected by the amendments to Claim 27, wherein the recitation (Claim 27, last paragraph) has been changed to set forth that the acoustical coupling member within the enclosure is "located with respect to" the pressure-pulse source and the liquid pulse-transmitting medium "so as to be effective to" perform the function set forth. It is believed that this amendment clearly makes Claim 27 generic to all the disclosed embodiments, as originally intended.

With respect to the last sentence in the above quotation from the Examiner's Office Action, the last paragraph of Claim 27 has been further amended to change "substantially parallel to" to -- in the direction of -- . It is believed that this amendment avoids the objection raised in the last sentence of the above-quoted portion of the Examiner's comment.

#### **The Rejection under 35 U.S.C. §112 Second Paragraph**

It is believed that the above-discussed amendments made to Claim 27 also avoid the rejection of Claim 27, and its dependent Claims 28-46, under 35 U.S.C. §112, second paragraph.

With respect to Claim 29, this claim was originally intended to refer to the "focussed portion" of the composite pressure pulse, rather than the non-focussed portion, and Claim 29 has been so amended.

With respect to Claims 33, 34 and 36–43, it is believed the amendments made to Claim 27, from which the above claims depend, now make the language the above claims consistent with the language included in Claim 27.

It is believed, therefore, that the amended claims now clearly comply with the requirements of 35 U.S.C. §112 first paragraph, and second paragraph, and therefore, that the application is now in condition for allowance.

An early Notice of Allowance is therefore respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script, reading "Martin D. Moynihan".

Martin D. Moynihan,  
Registration No. 40,338

Date: September 8, 2006